



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/568,111

07/13/2006

Dale Howard Hreczuk-Hirst

677492000600

6287

25225 7590 01/12/2010

MORRISON & FOERSTER LLP
12531 HIGH BLUFF DRIVE
SUITE 100
SAN DIEGO, CA 92130-2040

EXAMINER

OLSON, ERIC

ART UNIT

PAPER NUMBER

1623

MAIL DATE

DELIVERY MODE

01/12/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Rule 312 Communication	Application No.	Applicant(s)
	10/568,111	HRECZUK-HIRST ET AL.
	Examiner	Art Unit
	ERIC S. OLSON	1623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 31 December 2009 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☒ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The amendment submitted December 31, 2009 merely amends the chemical formula of claim 7 to reintroduce a repeating group that had been inadvertently omitted in the listing of claims submitted March 16, 2009. The formula as amended is clearly supported in the original disclosure, for example original claim 7. This amendment does not affect the scope of the claimed invention as the group -Gly- appearing in the chemical formula is defined as a "saccharide". Saccharide groups, as opposed to monosaccharide groups, can represent polysaccharides of arbitrarily long length. Therefore the presence of the repeating group does not actually affect the objective scope of the claims as polysaccharides of 50 or more monosaccharide residues are already included in the scope of the claim with or without the repeating group. Furthermore, the broadest reasonable interpretation of the amended claim still falls within the scope of previously allowed claim 1, which has already been found to be novel and non-obvious over the prior art. Therefore the scope of the claimed invention is not broadened by the amendment.

/Eric S Olson/
Examiner, Art Unit 1623